

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EUGENE SZYMANSKI,

Plaintiff,

v.

Case No. 12-12067

HONORABLE DENISE PAGE HOOD

MICHAEL C. EAGAN, et al.,

Defendants.

**ORDER DENYING APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF FEES**
AND
ORDER DENYING MOTION TO APPOINT COUNSEL

The Court has previously denied Plaintiff's Motions to Proceed before the Court and on Appeal In Forma Pauperis in Orders entered July 26, 2012 and January 28, 2013. (Doc. Nos. 4 and 6) Plaintiff filed a Notice of Appeal on March 22, 2013, along with an Application to Proceed Without Prepayment of Fees on Appeal and a Motion to Appoint Counsel.

The Court, having previously denied Plaintiff's request to proceed in forma pauperis on appeal, the Court again denies the request. Any appeal by Plaintiff from this Court's Orders is frivolous not taken in good faith. 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 445 (1962), *McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997). Given that any appeal is frivolous, Plaintiff's request for counsel on appeal is also denied.

Accordingly,

IT IS ORDERED that Plaintiff's Application to Proceed Without Prepayment of Fees on Appeal (**No. 9, filed 3/22/2013**) is DENIED.

IT IS FURTHER ORDERED that Plaintiff's Motion to Appoint Counsel (**Doc. No. 11, filed**

3/22/2013) is DENIED.

IT IS FURTHER ORDERED that for the same reasons set forth above and in the Court's previous Orders, any appeal by Plaintiff is frivolous and not taken in good faith under 28 U.S.C. § 1915(a)(3).

S/Denise Page Hood

Denise Page Hood
United States District Judge

Dated: March 26, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 26, 2013, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager